

AB:OG

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

COMPLAINT

- against -

(21 U.S.C. §§ 952(a) and 960)

THEOPHILUS BROWN,

Case No. 19 MJ 742

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

Isaac Haldeman, being duly sworn, deposes and states that he is a Special Agent with the Department of Homeland Security, Homeland Security Investigations (“HSI”), duly appointed according to law and acting as such.

On or about August 17, 2019, within the Eastern District of New York and elsewhere, the defendant THEOPHILUS BROWN did knowingly, intentionally and unlawfully import into the United States from a place outside thereof, cocaine, a Schedule II controlled substance.

(Title 21, United States Code, Sections 952(a) and 960)

The source of your deponent's information and the grounds for his beliefs are as follows:¹

1. On or about August 17, 2019, the defendant THEOPHILUS BROWN arrived at John F. Kennedy International Airport ("JFK") in Queens, New York aboard JetBlue Flight number B6 2918 from Port of Spain, Trinidad and Tobago.

2. After disembarking from his flight, THEOPHILUS BROWN was selected for an enforcement examination by Customs and Border Protection Officers ("CBP").

3. A CBP Officer conducted a baggage examination of THEOPHILUS BROWN's checked bag. In sum and substance, and in part, BROWN affirmed to the CBP Officer that the checked bag was his and that no one had given him anything to bring to the United States.

4. As part of the inspection, the CBP Officer took the items out of the checked bag. Upon doing so, the checked bag felt unusually heavy and the bottom of the luggage had a thick padded bottom. THEOPHILUS BROWN was then taken to a private search room to continue the inspection. At that point, the checked bag was probed, which revealed a white powdery substance. The substance was subsequently field tested and tested positive for cocaine. CBP Officers then placed THEOPHILUS BROWN under arrest.

5. After defendant THEOPHILUS BROWN's arrest, I arrived at the search room with another HSI Special Agent. Defendant THEOPHILUS BROWN was read

¹ Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

his Miranda rights, which he acknowledged orally and in writing. The defendant agreed to waive those rights. After waiving his Miranda rights, defendant BROWN admitted, in sum and substance and in part, that a friend told him to put his luggage in an empty suitcase, and to take the suitcase to the United States. In sum and substance, and in part, BROWN admitted that he knew there was something illegal hidden in the suitcase.

6. In total gross weight, law enforcement recovered approximately 2.1 kilograms of cocaine.

WHEREFORE, your deponent respectfully requests that the defendant THEOPHILUS BROWN be dealt with according to law.



Isaac Haldeman
Special Agent
Homeland Security Investigations

Sworn to me before this
19th day of August, 2019



THE HONORABLE
UNITED STATES
EASTERN DISTRICT

s/ Pollak